
* THE WEST VIRGINIAN *
* PRINTS READABLE AND RE- *
* LIABLE NEWS EVERY DAY. *

The Fairmont West Virginian.

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* WEST VIRGINIAN BECAUSE *
* IT BRINGS SATISFACTORY RE- *
* SULTS. *

VOLUME III.

FAIRMONT, WEST VIRGINIA, SATURDAY, OCTOBER 27, 1906.

NUMBER 162.

APPEAL CASES WILL NOT END VERY SOON

Arguments Were Made Today

The argument of the appeal cases of the Baltimore and Ohio Railroad Company vs. the Board of Public Works of West Virginia was opened this morning. A. M. Ambler, of Parkersburg, made the opening address for the plaintiff. Mr. Ambler's address was a general discussion. He did not deal in figures and tried to stay out of West Virginia as much as possible. He argued that there is no express legislation authorizing the assessment of franchises in this State. The plaintiff argued that the assessment of the physical value of the road was all that could be assessed under the law of the State.

The opening argument for the defense was made by Attorney George J. McComas, of Huntington. Mr. McComas recited the inadequacy of the old tax laws to equalize taxation and that the new laws were created to remedy this matter. He then showed how the numerous kinds of property belonging to railroads comes under the law and is subject to taxation. Attorney McComas made it clear that a franchise could be assessed as property though the law does not directly express it. But to place an excise or license upon a franchise that can only be done by express enactment.

He showed that Pennsylvania, Ohio, Illinois, Indiana and Maryland used the same method of taxing railroads. Attorney Mollahan asked Mr. McComas why franchises were not taxed under the old law. Mr. McComas showed him that they were, but in very small value. The argument of the plaintiff was shattered by the shreds would not hold together. The only hope that the plaintiff has is based upon a technicality, that of express enactment, authorizing the taxation of franchises.

Mr. McComas made a telling address to the judges. He spoke for an hour covering all the points raised by the plaintiff. He said that the only question that the court had to consider was the value of the road. The plaintiff took every advantage and occasion to show that the small branches along the Baltimore and Ohio are separate corporations. Mr. McComas contended that as the Baltimore and Ohio Railroad Company operated these branch roads it would be compelled under the law to pay the taxes. That the question of ownership was not to be considered by the court. He showed that railroads have a value as a money making or wealth producing enterprise and claimed that the railroad should pay taxes for that.

Attorneys Ambler and McComas were the only attorneys that argued the case before the seven judges. Several of the judges had to go home this afternoon.

Governor Dawson did not take the stand this morning. There will be more evidence taken in the case. There has been no evidence heard on the side of the defendant. The evidence to be adduced will be heard before Judge Mason and certified copies sent to the judges of the circuits that will have to pass on the case.

JOHN BULL IS SOMEWHAT CONCERNED OVER TROUBLES BETWEEN JAPAN AND AMERICA.

LONDON, Oct. 27.—So seriously regarded are the troubles between Japan and America that the matter may be made a subject of inquiry by parliament Monday to see if there is provision in the Anglo-Japanese treaty safeguarding the British dominions from becoming involved in the event of an armed controversy between Japan and America. Fears are entertained that England might become involved if a war should break out between the two countries under the terms of the Anglo-Japanese treaty.

Fried chicken, boiled ham, baked beans, sweet potatoes, fruit salad, slaw, celery, pickles, pumpkin pie, and coffee. Tuesday, October 30, M. E. Church.

Auction every evening this week at Burdette's Book Store.

Coming "The Ninety and Nine."

Traction Company Plans to Have Cars Running From Fairmont to Clarksburg by the First of January

Rapid progress is being made by the Fairmont and Clarksburg Traction Company on its line between this city and Clarksburg. By the last of next week the bridges and grading on the line will be finished. The company hopes to have cars running from this city to Clarksburg by the first of January. This is much sooner than would be the middle of February before cars would be running from one city to the other.

The work on the South Side bridge

is almost completed. The work done has greatly strengthened this structure. A new track is to be laid over the bridge. This track will be much heavier than the one that is now there. The laying of the track will be begun on Monday and will be finished by the last of the week. As soon as the heavier track is laid the large cars will run into the city.

Auction every evening this week at Burdette's Book Store.

SAVED DUKE FROM SCANDAL

DUCHESS OF MARLBOROUGH
WITHDREW SUIT FOR DIVORCE
TO SAVE HER HUSBAND POSSI-
BILITY OF RUINING HIS FUTURE
POLITICAL CAREER.

LONDON, October 27.—Only the earnest pleadings of intimate friends not to ruin the political future of her husband by creating a scandal which would be sure to ruin him, have induced the Duchess of Marlborough, formerly Miss Consuelo Vanderbilt, of New York, to abandon her contemplated divorce.

The Duke of Marlborough is hopeful of securing a place in the British cabinet in a future ministry. It was pointed out to his wife that such a scandal as her suit would have aroused antagonistic feeling and meant political death to the duke. At the solicitation of friends of both parties she has been induced, according to the latest gossip in regard to their unhappy marital affairs, not to bring suit.

American Named.
If the Duchess brought suit a well known American beauty whose name has been linked recently with that of a prominent European prince, it is said, would have been named as co-respondent. It is to prevent this scandal that the Duchess was urged to agree to a private separation. Coolness has existed between the Duke and Duchess of Marlborough for a long time. When the Duchess discovered the unfaithfulness of her husband, she was very angry, according to all reports and it is said insisted upon bringing suit for divorce. It was with the greatest difficulty that friends who have succeeded in patching up other quarrels between the couple were able to induce the Duchess to abandon her proposed suit for divorce.

Clyde Dawson Hurt.
Clyde Dawson, of Montana, was thrown from a grip yesterday and was caught between a rib of coal and two moving cars. A broken rail threw grip from the track causing the accident. Dawson's injuries are very painful, yet are not thought to be dangerous.

Coming "The Ninety and Nine."

New Line Up Of the Powers

OLD TRIPLE ALLIANCE GIVES
WAY TO A NEW ONE BE-
TWEEN ENGLAND, FRANCE
AND ITALY.

LONDON, Oct. 27.—Europe is to be adjusted and a new alliance of powers has been effected materially changing the balance of power which was greatly affected by the paralysis of Russia as a result of Russo-Japanese war. In the future England, France and Italy will be bound together in a defensive alliance and making over of Europe in a political sense is necessitated. This change is wrought through the military convention between Great Britain, France and Italy, the announcement of which is made to-day. Secret negotiations, however, have been in progress for months. The convention, it is claimed, practically amounts to a defensive alliance and the breaking of the triple alliance between Germany, Austria-Hungary and Italy. Germany is expected to view the convention unfavorably, but as the alliance is intended as a peace guarantee, it is hardly believed the Kaiser can find ground for objection.

NEAR DEATH'S DOOR.

Mrs. E. E. Moran Not Expected to
Live But a Few Hours.

Mrs. E. E. Moran, of East Park avenue, was stricken with paralysis on Wednesday and is now in a serious condition at her home. It is feared that she will live but a few hours. Her daughter, Miss Ethel Moran, who has been visiting friends in Ohio, is expected home tonight.

Seriously Hurt.

Charles B. Miller was hurt this morning near the local railroad station. He sustained several severe cuts about the head. The worst one is near the base of the brain. Miller was taken to the Miners' Hospital and is in an unconscious condition.

Monday Night Review.

All members of Showalter Tent, No. 7, K. O. T. M., are requested to be present at the regular review on Monday night, Oct. 29th, at 7:30 as business of great importance is to come up that night without fail.

O. E. McMillan, R. K.

Coming "The Ninety and Nine."

KILLED GIRL WITH WHOM HE WAS INFATUATED

Strange Deed of Bank Official

NEW YORK, Oct. 27.—Louis G. Hampton, assistant secretary of the U. S. Trust Co., with offices on Wall street, a middle aged financier of some note, having a wife and two children, last night at the hotel Griffon, shot and instantly killed Victoria I. Tacklow, who believed the man infatuated with her was a bachelor, and that he intended marrying her, preparations for which were in progress. Hampton met the girl, who was a beautiful brunette, two months ago, and became wildly infatuated with her.

BAND CONCERT

THE "CITIZENS" WILL PLAY AT
THE USUAL PLACE ON MAIN
STREET TO-NIGHT.

The Citizens' Band will render the following programme to-night:
March—The Diplomat, Sousa.
Overture—Pique Dame, Suppe.
Chillan Dance—"Manana," Missud.
Medley—Bits of Remicks Hits, Lampe.

Waltz—Our Wedding Day, Tobani.
Selection—It Happened in Nord-land, Herbert.

Fantasia on Auld Lang Syne, Dalbey.

March—The Giggler, Haines.
Characteristic—Dixie Queen, Hoffmann.

"Ninety and Nine."

"The Ninety and Nine," a rural comedy drama from the pen of Ramsay Morris, built upon lines suggested by the religious hymn of Ira Sankey, of the same title, will be the offering at the Grand opera house on Tuesday, October 30, and should prove a good bill for that house. It is considerably removed from the rut of melodrama and during its run of five months at the Academy of Music in New York attracted some very favorable comment from the critics of the metropolis. It is especially strong from a scenic standpoint and the particular "thriller" is a huge passenger engine running at a mile a minute through a forest fire. It is a realistic bit of the stage mechanic's art and has proven a feature of the production. It may be of interest to know that this attraction is under the same management as "York State Foks," and the well known manager, Fred E. Wright, controls and manages both of these excellent attractions.

THE WEATHER.

Rain and Colder.

WASHINGTON, D. C., Oct. 27.—Forecast for West Virginia: Rain and colder to-night, Sunday fair and colder.

Another Long List of Taxpayers Who Are Enjoying Reductions of Taxes by Reason of New Tax Law

No matter where the names are found on the tax books the results are the same this year. Lower taxes for the masses of the people. The people of Fairmont district, outside of the corporation, and those of Grant district, too, are the beneficiaries of the new tax laws as the figures given below indicate. If you appreciate having lower taxes vote for the Republican candidate for the Legislature and they will stand by the new laws, which made lower taxes possible. The Democratic candidates are opposed to the new tax laws. Their platform condemns them and their organ in this county is doing all in its power to break them down. Read the figures below and be convinced.

| Name of Tax Payer. | 1904. | 1906. | Reduction. |
|---------------------------------------|--------|-------|------------|
| Ridgway, Chas. H., Barrackville | 18.89 | 13.00 | 5.89 |
| Riggs, John N., Fairmont | 8.63 | 5.96 | 2.67 |
| Rudolf, John L., Fairmont | 53.20 | 36.47 | 16.73 |
| Rex, F. M., Fairmont | 38.53 | 15.13 | 23.38 |
| Robinson, J. Z., Fairmont | 64.82 | 25.00 | 39.82 |
| Shriver, E. C., Fairmont | 23.15 | 11.76 | 11.39 |
| Snoderly, Mary R., Fairmont | 30.45 | 19.25 | 11.20 |
| Snoderly, John E., Fairmont | 9.22 | 7.11 | 2.11 |
| Snoderly, M. C., Fairmont | 14.05 | 8.96 | 5.09 |
| Snoderly, J. E., Fairmont | 3.24 | 1.90 | 1.34 |
| Snyder, Chas. E., Fairmont | 20.16 | 15.01 | 5.15 |
| Steele, John R., Barrackville | 15.30 | 13.97 | 1.33 |
| Stewart, A. P., Fairmont | 24.15 | 17.51 | 6.64 |
| Straight, Mary, Fairmont | 23.64 | 22.66 | .98 |
| Straight, N. J., Fairmont | 68.99 | 47.47 | 21.52 |
| Straight, E. P., Fairmont | 7.67 | 5.12 | 2.55 |
| Swisher, Lee, Barrackville | 39.80 | 31.03 | 8.77 |
| Swisher, Lee (guardian), Barrackville | 21.00 | 7.21 | 13.79 |
| Snoderly, Isaac C., Fairmont | 58.29 | 53.38 | 4.91 |
| Snoderly, W. T., Fairmont | 43.94 | 26.16 | 17.78 |
| Schackelford, Alice, Barrackville | 58.31 | 30.86 | 27.45 |
| Shroyer, C. C., Fairmont | 7.59 | 2.58 | 5.01 |
| Shackelford, L. B., Fairmont | 10.50 | 4.82 | 5.68 |
| Smith, John F., Fairmont | 8.33 | 2.50 | 5.83 |
| Shroyer, A. I. (heirs), Fairmont | 16.45 | 8.41 | 8.04 |
| Shroyer, Mary E., Fairmont | 4.43 | 1.84 | 2.59 |
| Smith, W. L., Fairmont | 5.20 | 2.57 | 2.63 |
| Talbot, Martin, Fairmont | 4.19 | 1.14 | 3.05 |
| Tennant, Susan B., Barrackville | 43.75 | 28.89 | 14.86 |
| Tennant, Sidney and Harry, B'kville | 9.19 | 6.84 | 2.35 |
| Thacker, James F., Fairmont | 22.66 | 18.25 | 4.41 |
| Toothman, Margaret, Barrackville | 3.24 | 1.96 | 1.28 |
| Toothman, C., Fairmont | 2.35 | .15 | 2.20 |
| Trickett, J. E., Fairmont | 3.67 | 2.02 | 1.65 |
| Tucker, John R., Fairmont | 18.24 | 17.23 | 1.01 |
| Tucker, Thos. F., Fairmont | 33.67 | 21.79 | 11.88 |
| Vandervort, N., Fairmont | 204.18 | 69.22 | 144.96 |
| Vandervort, J. A., Fairmont | 3.40 | 1.94 | 1.46 |
| Wilcox, E. W., Fairmont | 3.09 | 1.38 | 1.71 |
| Wells, F. M., Fairmont | 28.63 | 3.02 | 25.61 |
| Wilcox, Elmer, Fairmont | 2.84 | 2.70 | .14 |
| Wilson, Lee, Fairmont | 3.04 | 1.66 | 1.38 |
| Wilson, P. S., Fairmont | 6.04 | 3.73 | 2.31 |
| Wilson, John, Fairmont | 3.89 | 5.09 | 4.80 |
| Wilson, B. S., Fairmont | 51.95 | 20.70 | 31.25 |
| Wade, Chas. C., Fairmont | 15.14 | 10.97 | 4.17 |

THE TAX STORY IN GRANT.

| | | | |
|-----------------------------------|--------|--------|-------|
| Swiger, A. W., Watson | 45.30 | 24.82 | 20.48 |
| Sypul, E. J., Watson | 17.00 | 11.92 | 5.08 |
| Thomas, C. M., Watson | 13.56 | 5.46 | 8.10 |
| Thomas, John C., Watson | 16.90 | 10.85 | 6.05 |
| Thompson, F. M., Worthington | 9.18 | 7.26 | 1.92 |
| Tonkey, Lloyd E., Watson | 9.58 | 7.72 | 1.86 |
| Tolney, John E., Watson | 16.54 | 5.73 | 10.81 |
| Traugh, D. C., Watson | 6.42 | 3.88 | 2.54 |
| Tucker, J. B., Watson | 11.46 | 7.58 | 3.88 |
| Tucker, T. L., Watson | 19.56 | 12.46 | 7.10 |
| Tucker, L. R., Watson | 15.78 | 8.69 | 7.09 |
| Vincent, A. J., Fairmont | 11.50 | 4.71 | 6.79 |
| Vincent, C. H., Fairmont | 12.90 | 4.44 | 8.46 |
| Vincent, John S., Watson | 12.00 | 5.88 | 6.12 |
| Vincent, O. F., Watson | 10.18 | 4.88 | 5.30 |
| Vogle, James, Everson | 14.86 | 10.32 | 4.54 |
| Walls, M. L., Watson | 5.97 | 4.13 | 1.84 |
| Watkins, B. F., Monongah | 5.59 | 3.39 | 2.20 |
| Watkins, John C., Boothsville | 3.56 | 1.53 | 2.03 |
| Watkins, J. A., Monongah | 7.39 | 3.61 | 3.78 |
| Watkins, John R., Monongah | 10.16 | 6.28 | 3.88 |
| Watson, Kate, Watson | 25.50 | 13.73 | 11.77 |
| Watkins, John M., Monongah | 5.44 | 2.96 | 2.48 |
| Watkins, Alfred (heirs), Monongah | 2.56 | 1.41 | 1.15 |
| Williams, S. J., Watson | 10.32 | 7.15 | 3.17 |
| Watson, Wm. H., Watson | 125.16 | 128.53 | ... |
| Watson, Wm. H. (adm.), Watson | 13.60 | 4.04 | 9.56 |
| Williams, John F., Monongah | 28.56 | 12.95 | 15.61 |
| Wilson, Melvin, Watson | 4.18 | 2.70 | 1.48 |
| Wood, John N., Worthington | 9.78 | 6.05 | 3.73 |
| Work, Wesley W., Chiefton | 2.96 | 1.49 | 1.47 |
| Wright, Jesse, Watson | 8.32 | 4.70 | 3.62 |

BROKE JAIL.

Jackson County Man Charged With
Criminal Assault Escapes From
Mineral Bastille.

KEYSER, W. Va., Oct. 27.—James Killian escaped from the Mineral county jail Thursday night. Killian was recently removed here by the sheriff of Tucker county to save him from being lynched. The crime charged against him is that of criminal assault upon Clara Wells, a young married woman living at Hendricks, about two miles from Parsons.

Caught By Fall of Slate.

Joe Kelece, a miner at Anderson mines, was brought to the Miners' Hospital yesterday evening. Kelece was caught by a fall of slate yesterday and his back was badly bruised.

Notice.

The city taxes for the year 1906 are now ready for payment, and all persons paying the same on or before November 15th, will be allowed a discount of 2 1/2 per cent, but no discount allowed after the 15th day of November.

JOHN S. SCOTT,
City Collector.

Letter copying press at Burdette's.

Coming "The Ninety and Nine."

GOOD MEETING

ARE REPORTED IN VARIOUS
PARTS OF THE COUNTY BY
THE PROHIBITIONISTS.

(Continued.)

Edward W. Mills, State Chairman of the Prohibition party, and the Meeks continue to draw remarkable crowds at their meetings.

Yesterday afternoon at two-thirty at the Davis Ridge M. E. Church the house was filled with citizens of that community anxious to hear the Prohibition truths. The people manifested a deep interest in the subject of Prohibition which seems to be stirring the people throughout the county more this year than ever.

At Farmington in the M. E. Church South, at 7:30 p. m. yesterday the house was packed and standing room even was at a premium, a large number being turned away. A live interest was shown here also in the temperance issue.

This afternoon Mills and the Meeks will hold forth at Upton and this evening at Fairview.

Auction this evening at Burdette's Book Store.

Coming "The Ninety and Nine."

WILEY DAVIS SERIOUSLY HURT AT PITTSBURG

Fell From a High Building

Wiley Davis, a young man of the fifth ward, but who has been working in Pittsburg, fell from a building yesterday afternoon while at work, causing a fracture of the skull. A message bearing the news of the unfortunate accident was received by his father, Mrs. D. M. Davis, about six o'clock last evening. Mr. and Mrs. Davis left last night for Pittsburg, and a sister, Miss Lulu Davis, left for that place this morning. A second message received at ten o'clock last night stated that he had undergone an operation and while he was unconscious and likely to remain in that state for some time, it was thought by the attending physicians that he would recover.

A MAMMOTH SHOE.

The enterprising firm of Shurtliff and Welton, the local shoe merchants, now have on display in their window, an attraction which is entirely different from anything that has been seen in this city. The attraction is a mammoth shoe, and since this shoe is the largest leather shoe that was ever made, being size 100, it is attracting a great amount of attention. This big shoe is a Walk-Over, and was made in the Walk-Over factory, which is turning out 18,000 complete pairs of shoes every factory day, making it the largest plant in the world devoted to the manufacture of men's and women's fine shoes. At this time 5,000 people are employed in these factories, every one a skilled mechanic, and yet the demand for these trustworthy shoes cannot be supplied, as they are worn now in forty-four different countries around the world.

Messrs. Shurtliff and Welton have the exclusive agency for this celebrated shoe, and judging from the number of pairs this firm is selling, is proof that "Walk-Over" shoes are literally "Shoes of the Hour."

Another shoe that is gaining favor among the local fair sex is the La France which is the highest type of American footwear for women.

The boys and girls have not been neglected in this store, as a complete line of shoes in all popular styles are continually being sold, including the Educator Shoe designed to teach the child's foot to grow in nature's shape. Try a pair of Shurtliff and Welton's solid, serviceable, school shoes, or in fact anything needed in the shoe line for men, women and children, can be found just opposite the Postoffice.

Shurtliff and Welton sell shoes that satisfy.

SCHEME TO GET HEARST TO QUIT

CONTENTION RAISED THAT HIS
NOMINATION WAS NOT
LEGALLY MADE.

NEW YORK, Oct. 27.—Wm. Randolph Hearst and every other candidate on the Independence League ticket, down to the lower offices for which nominations were made, will be barred from appearing on the official ballot in the coming election if a contention raised before the Supreme court by Daniel Cohalan, representing Tammany candidates, is upheld.

In arguing an appeal from decisions of Supreme Justices upholding a ruling of the board of elections, Mr. Cohalan questioned the validity of every Independence League nomination on the ground that the league is a corporation. Both the common law and public policy forbid, he declared, that such a corporation as the Independence League, should be allowed to nominate men who in case of election would be called upon to enforce it.

Information made against the league nominations was that the public would be excluded from making nominations under the league ticket as only the incorporated league would have this power. It was also argued that no power to make nominations is included in the grants to the Independence League under its charter.

The court took the cases under advisement. It is expected a decision will be rendered within a day or two.

Remember, fried chicken and pumpkin pie, Tuesday evening, at M. E. Church.

Coming "The Ninety and Nine."